

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

JAMES M. ASSEY AND JOAN P.)	Civil Action No. 3:22cv-02647-JDA
ASSEY)	
)	
Plaintiffs,)	
)	
vs.)	<u>STIPULATED RULE 41(a) DISMISSAL</u>
)	<u>OF CERTAIN CAUSES OF ACTION</u>
AMERICAN HONDA MOTOR CO.,)	
INC.)	
)	
Defendant.)	

COMES NOW Plaintiffs James and Joan Assey, by and through counsel of record, and hereby dismiss, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the following causes of action presented in Plaintiffs' Amended Complaint for Damages [ECF No. 43].

1. Paragraphs 25-31, including subparts (Negligence, Gross Negligence, Willful and Wanton Conduct: Design Defect), to the extent those paragraphs allege any design defect in the driver's side seat belt assembly, including seat belt retractor, pretensioner, or other components of the seat belt system, installed in the Plaintiffs' model year 2020 Honda Odyssey vehicle.
2. Paragraphs 39-51 (Strict Liability in Tort, Section 15-73-10, S.C. Code of Laws, Ann. (1976, as amended), to the extent those paragraphs allege any design defect (but not as to any manufacturing defect which Plaintiffs do not agree to dismiss) in the driver's side seat belt assembly, including seat belt retractor, pretensioner, or other components of the seat belt system, installed in the Plaintiffs' model year 2020 Honda Odyssey vehicle.
3. Paragraphs 64-68 (Punitive Damages), to the extent the claims for punitive damages arise out of any alleged design defect related to the driver's side seat belt assembly, including seat belt retractor, pretensioner, or other components of the seat belt system, installed in the Plaintiffs' model year 2020 Honda Odyssey vehicle.

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Defendant American Honda Motor Co., Inc., by and through its counsel of record, hereby stipulate to this dismissal with prejudice of the above identified causes of action.

Respectfully submitted this 3rd day of December, 2024.

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Stipulated and agreed to,

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